

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 12

May 13, 2004

**SUBJECT: RESPONSIBILITY FOR AUTOMATED TELLER MACHINE CARD FRAUD INVESTIGATIONS**

**PURPOSE:** This Order assigns investigative responsibility for fraud by means of Automated Teller Machine (ATM) cards to Forgery Section, Commercial Crimes Division.

**PROCEDURE:** An ATM card is a card issued by a financial institution that allows the customer to access funds contained in their checking and savings accounts through the use of an automated teller machine.

**I. ATM CARD FRAUD - DEFINED.** An ATM card fraud occurs when an unauthorized person uses an ATM card to fraudulently access funds from checking or savings accounts that belong to another person, without their consent, through the use of an automated teller machine. The victim of an ATM card fraud is the person to whom the account belongs and not the financial institution.

**II. OFFICER'S RESPONSIBILITY.** Officers conducting a preliminary investigation of an ATM card fraud shall complete a Preliminary Investigation Report (PIR), Form 3.1, titled "ATM Card Theft," and include the following information:

- \* The exact location of the ATM utilized to commit the fraud;

**Note:** Location of occurrence will be the location where the ATM was used to commit the fraud. This information may be obtained from the financial institution holding the account. If the ATM location cannot be determined, then advise the victim to contact his/her financial institution **before** a report can be taken. However, if the victim insists on a report, and meets all of the criteria for the crime of "Identity Theft," then a Preliminary Investigation Report titled, "Identity Theft," shall be completed.

- \* The amount of money taken;
- \* Whether the victim is still in possession of his/her ATM card; and,

- \* Whether the victim has given his/her Personal Identification Number (PIN) to anyone.

**III. COMMERCIAL CRIMES DIVISION'S RESPONSIBILITY.** Fraud cases by means of an ATM card shall be investigated by Forgery Section, Commercial Crimes Division.

**Note:** Burglary, theft, or vandalism of an ATM will continue to be the investigative responsibility of the geographic detectives.

**AMENDMENTS:** This Order amends Section 2/644.01 and adds Section 4/248.20 to the Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Detective Bureau, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

**WILLIAM J. BRATTON**  
**Chief of Police**

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